

Mar. 5, 2007 4:58PM Fay Sharpe

No. 6135 P. 1/9

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Date	March 5, 2007	Total Pages: 9
To:	U.S. Patent and Trademark Office	
Attn.:	RO/US - Mail Stop PCT	
Facsimile No.:	(571) 273-8300	
From:	Michael E. Hudzinski	
Re:	Our Ref.: RTEE 2 00063	(Ser. No. 10/579,689)

COMMENTS**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Rene' Amherd  
FOR : ROLLER HOLDER UNIT  
SERIAL NO. : 10/579,689  
INTERNATIONAL FILING DATE : November 10, 2004  
EXAMINER : Unknown  
ART UNIT : Unknown  
CONFIRMATION NO. : 9694  
ATTORNEY DOCKET NO. : RTEE 2 00063

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

MAIL STOP PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Attn.: RO/US

Dear Sir:

Responsive to the Notification of Missing Requirements (copy attached hereto) mailed January 8, 2007, applicant submits an executed Declaration and Power of Attorney.

The \$130.00 fee in payment of the surcharge required for filing the Declaration later than the filing date of the application is authorized to be charged to a credit card.

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The appropriate form PTO-2038 is enclosed for this purpose. If the credit card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

Respectfully submitted,

FAY SHARPE LLP

05 MAR 07

Date

*Michael E. Hudzinski*  
Michael E. Hudzinski, Reg. No. 34,185  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

Certificate of Mailing or Transmission	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input checked="" type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: <i>Barbara Brazier</i>
Date: March 5, 2007	Name: Barbara Brazier

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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/579,689	Rene' Amherd	RTEF 2 00063
INTERNATIONAL APPLICATION NO.		
		PCT/CH04/00681
27885	LA. FILING DATE	PRIORITY DATE
FAY SHARPE LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114	11/10/2004	11/20/2003
CONFIRMATION NO. 9694		
371 FORMALITIES LETTER		
*OC000000021880109*		

Date Mailed: 01/08/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/18/2006
- Copy of the International Search Report filed on 05/18/2006
- Preliminary Amendments filed on 05/18/2006
- Information Disclosure Statements filed on 05/18/2006
- Oath or Declaration filed on 05/18/2006
- Request for Immediate Examination filed on 05/18/2006
- U.S. Basic National Fees filed on 05/18/2006
- Priority Documents filed on 05/18/2006
- Specification filed on 05/18/2006
- Claims filed on 05/18/2006
- Abstracts filed on 05/18/2006
- Drawings filed on 05/18/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

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missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/579,689	PCT/CII04/00681	RTER 2 00063

FORM PCT/DO/EO/905 (371 Formalities Notice)